

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1862 of 2024

Arising Out of PS. Case No.-213 Year-2020 Thana- THARTHARI District- Nalanda

Pinky Devi @ Pinky Devi W/o Nitish Kumar R/o vill - Atwal Bigha, P.S. -
Tharthari, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366(A)/34 of the Indian Penal Code but the charge sheet has been submitted u/s 363, 372, 376, 120B/34 of the I.P.C. and section 4 of the POCSO Act.

3. As per prosecution case, the petitioner is said to have been involved in the abduction of minor daughter of the informant, aged about 16 years.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. From perusal of impugned order, it is evident that the victim was recovered whose statement has been recorded u/s 164 of the



Cr.P.C. in which she stated that co-accused Nitish Kumar committed wrong with her. This petitioner is a lady and the victim has not made any specific allegation against her. She is family member of main co-accused Nitish Kumar due to which she has falsely been implicated in this case. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 31.10.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tharthari P.S. Case No. 213 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-VII-Cum-Special Judge, POCSO, Nalanda at Bihar Sharif.

(Sunil Kumar Panwar, J)

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